

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36115 of 2026

Arising Out of PS. Case No.-188 Year-2025 Thana- HALAI District- Samastipur

Jai Kishun Sahani @ Jay Kishun Sahni S/o Late Sahdev Sahani @ Nuja Sahni
R/o Village - Darba, Ward No. 11, P.S - Halai, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2026 Heard Mr.Lakshmindra Kumar Yadav, learned
counsel for the petitioner and Mr.Dr. Kumar Uday Pratap,
learned APP for the State.

2. The petitioner seeks bail, who is in custody since
05.03.2026 in connection with Halai P.S. Case No. 188 of
2025, F.I.R. dated 29.10.2025 registered for the offence
punishable under Sections 126(2), 115(2), 117(2), 109(11),
132, 253, 304(2), 352 and 3(5) of the BNS, 2023.

3. According to prosecution case, the petitioner
along with other accused persons have attacked on the police
personnel who have come to arrest the co-accused Kanhaiya
Sahani in another case.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that the police personnel have come to the house of the petitioner to arrest his son in connection with Halai P.S.Case No.57 of 2025 but the petitioner and his family members have attacked on the police personnel and some police personnel have received the injury. Learned counsel for the petitioner submits that although the petitioner is named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Further submits that the similarly situated, co-accused, namely, Kanhaiya Sahani @ Kanhaiya Kumar Sahani has been granted bail by this Court vide order dated 31.03.2026 passed in Cr. Misc. No. 20166 of 2026.6 and co-accused persons, namely, Tuntun Sahani & Anr. have also been granted bail by this Court vide order dated 03.04.2026 passed in Cr. Misc. No. 13469 of 2026 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 05.03.2026.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and similarly situated co-accused persons, have been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Shahpur, Patori, Samastipur or Successor Court in connection with Halai P.S. Case No. 188 of 2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in



case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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